

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

Statesboro Division

2008 JUL -9 AM 11:22

United States of America

v.

Angela Rogers

Case No: CR606-00026-034

USM No: 12983-021

Sarah F. Wall

Defendant's Attorney

Date of Previous Judgment: January 8, 2008

(Use Date of Last Amended Judgment if Applicable)

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 23

Amended Offense Level: 23

Criminal History Category: IV

Criminal History Category: IV

Previous Guideline Range: 70 to 87 months

Amended Guideline Range: 70 to 87 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

III. ADDITIONAL COMMENTS

The retroactive amendment is not applicable to this defendant as her offense level computations were not based on crack cocaine. The Court also denies the defendant's motion to reduce her sentence based on changes to criminal history computations found in Chapter Four of the Guidelines Manual. The Court denies this motion because the criminal history changes were not made retroactive by the Sentencing Commission.

Except as provided above, all provisions of the judgment dated January 8, 2008, shall remain in effect.

IT IS SO ORDERED.

Order Date:

7-9-2008

Judge's signature

B. Avant Edenfield

United States District Judge

For the Southern District of Georgia

Printed name and title

Effective Date:

(if different from order date)